

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, putrid, or decomposed vegetable substance.

On September 23, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13782. Adulteration and misbranding of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20236. I. S. No. 24184-v. S. No. E-5411.)**

On or about July 3, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 11 tubs of butter, consigned June 15, 1925, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Fox River Butter Co., from Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Fox River Butter Co. \* \* \* Phila. Pa.," and was invoiced "Butter."

Adulteration of the article was alleged in the libel for the reason that a substance low in butterfat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by law.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, and in that the statement "Butter" was false and misleading and deceived and misled the purchaser.

On or about August 4, 1925, the Fox River Butter Co., Inc., Philadelphia, Pa., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$660, in conformity with section 10 of the act, conditioned in part that it not be sold or disposed of until reworked to contain 80 per cent of butterfat.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13783. Adulteration of canned corn. U. S. v. 675 Cases of Canned Corn. Consent decree of condemnation and forfeiture. Product released to be reprocessed. (F. & D. No. 19521. I. S. No. 20172-v. S. No. W-1633.)**

On or about January 26, 1925, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 675 cases of canned corn, remaining in the original unbroken packages at Sacramento, Calif., alleging that the article had been shipped by William Numsen & Sons, from Baltimore, Md., October 18, 1924, and transported from the State of Maryland into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "Farm Queen Brand Sugar Corn Packed By Wm. Numsen & Sons Inc. Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that water or brine had been mixed and packed with and substituted wholly or in part for the said article.

On April 13, 1925, F. M. Ball & Co., San Francisco, Calif., having appeared as claimant for the property and having admitted the allegations of the libel and consented to the entry of a decree, judgment of forfeiture was entered, said decree providing that the product might be released to the said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13784. Adulteration and misbranding of jellies. U. S. v. James A. Hamilton. Plea of guilty. Fine, \$25. (F. & D. No. 19274. I. S. Nos. 12627-v, 12628-v, 12629-v, 12630-v, 15185-v, 15186-v, 15187-v, 15188-v.)**

On February 16, 1925, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed

in the District Court of the United States for said district an information against James A. Hamilton, Philadelphia, Pa., alleging shipment by said defendant, in two consignments, namely, on or about March 25 and April 22, 1924, respectively, from the State of Pennsylvania into the State of Virginia, of quantities of jellies which were adulterated and misbranded. The articles were labeled in part, variously: "Hamilton's Pure Apple Jelly," "Hamilton's Pure Grape Jelly," "Hamilton's Pure Strawberry Jelly," and "Hamilton's Pure Currant Jelly."

Examination by the Bureau of Chemistry of this department of samples of the article showed that they were deficient in fruit and contained added pectin.

Adulteration of the articles was alleged in the information for the reason that products deficient in fruit and containing added pectin had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength and had been substituted in part for the said articles.

Misbranding was alleged for the reason that the statements, to wit, "Pure Apple Jelly," "Pure Grape Jelly," "Pure Strawberry Jelly," and "Pure Currant Jelly," borne on the jars containing the respective articles, were false and misleading, in that the said statements represented that the articles consisted of pure apple jelly, pure grape jelly, pure strawberry jelly, or pure currant jelly, as the case might be, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted of pure apple jelly, pure grape jelly, pure strawberry jelly, or pure currant jelly, as the case might be, whereas they did not so consist but did consist in part of products deficient in fruit and containing added pectin. Misbranding was alleged for the further reason that the articles were imitations of and were offered for sale and sold under the distinctive names of other articles.

On September 25, 1925, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13785. Adulteration and misbranding of heroin hydrochloride, morphine sulphate, and tincture opium. U. S. v. William H. Rorer. Pleas of guilty. Fines, \$150. (F. & D. Nos. 19596, 19622. I. S. Nos. 12754-v, 16033-v, 16036-v, 16042-v, 16124-v, 17140-v.)**

On May 11 and July 8, 1925, respectively, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against William H. Rorer, Philadelphia, Pa., alleging shipment by said defendant, in violation of the food and drugs act, on or about April 18, 1924, from the State of Pennsylvania into the State of Maryland, of a quantity of heroin hydrochloride, and on or about the respective dates of March 27, April 4, and August 26, 1924, from the State of Pennsylvania into the State of New Jersey, of various consignments of heroin hydrochloride, morphine sulphate, and tincture opium, all of which were adulterated and misbranded. The articles were labeled, variously, in part: "Tablet Triturate Heroin Hydrochloride 1/24 Grain \* \* \* William H. Rorer \* \* \* Philadelphia"; "Tablets Morphine Sulphate 1-8 Gr. \* \* \* Wm. H. Rorer Pharmaceuticals Philadelphia, Penna."; "Tincture Opium U. S. P. 9th Revision (Laudanum) \* \* \* Opium in each fld. oz. 45 6-10 gr. Standard, 1.25 Per Cent of Crystallizable Morphine \* \* \* William H. Rorer \* \* \* Philadelphia."

Analysis by the Bureau of Chemistry of this department of three samples of the heroin hydrochloride tablets, labeled 1/24 Grain, showed that they contained 0.0285, 0.0342, and 0.0334 grain, respectively, of heroin hydrochloride. Analysis by the above bureau of two samples of the morphine sulphate tablets, labeled 1/8 Gr., and one sample of the tincture of opium showed that the morphine sulphate tablets contained 0.101 and 0.108 grain, respectively, of morphine sulphate, and the tincture of opium contained 0.7 gram of anhydrous morphine per 100 mils, equivalent to 0.79 per cent of crystallizable morphine or 32 grains of granulated opium per fluid ounce.

Adulteration of the heroin hydrochloride tablets and the morphine sulphate tablets was alleged in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that each of the said heroin hydrochloride tablets was represented to contain 1/24 grain of heroin hydrochloride, and each of the said morphine sulphate tablets was represented to contain 1/8 grain of morphine sulphate, whereas the said articles contained less than so represented. Adulteration of